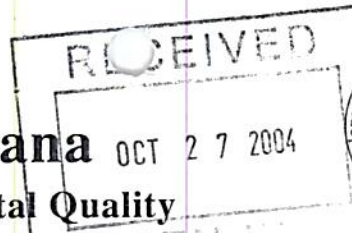




1-001  
P/S  
11/1/04  
P/S  
11/23/04

**State of Louisiana**  
**Department of Environmental Quality**



W

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

OCT 08 2004 MIKE D. McDANIEL, Ph.D.  
SECRETARY

CERTIFIED MAIL 7004 0750 0003 9163 4511  
RETURN RECEIPT REQUEST  
EPA CERTIFIED 7004 0750 0003 9163 4504

PERMIT NO. LA0053031  
AI NO. 9002

Mr. Eugene Kelley, Assistant Project Manager  
United States Department of Energy Strategic Petroleum Reserve  
West Hackberry Oil Storage Facility  
1450 Black Lake Road  
Hackberry, Louisiana 70560

CL

RECEIVED  
OCT 14 PM 2:46  
CUSTOMER SERVICE BRANCH

RE: Louisiana Pollutant Discharge Elimination System (LPDES) permit to discharge treated sanitary wastewater, exterior vehicle wash water and raw water systems test water which includes raw water and once-through non-contact cooling water to Black Lake via unnamed facility ditches from an existing bulk crude oil storage facility located on Black Lake Road, approximately 3.8 miles west of Hackberry, Louisiana, Cameron Parish.

Dear Mr. Kelley:

The Louisiana Department of Environmental Quality has not received comments from the general public nor the United States Department of Energy Strategic Petroleum Reserve in response to the public notice, which was published in a local newspaper of general circulation, and the Office of Environmental Services Public Notice Mailing List on August 12, 2004.

Pursuant to the Clean Water Act (33 U.S.C. 1251 *et seq.*), and the Louisiana Environmental Quality Act (La. R.S. 30:2001, *et seq.*), the attached LPDES permit has been issued. Provisions of this permit may be appealed in writing pursuant to La. R.S. 2024(A) within 30 days from receipt of the permit. Only those provisions specifically appealed will be suspended by a request for hearing unless the secretary or the assistant secretary elects to suspend other provision(s) as well. A request for hearing must be sent to the following:

Department of Environmental Quality  
Office of the Secretary  
Legal Services Division  
P. O. Box 4302  
Baton Rouge, LA 70821-4302

DEC 03/2004

All future correspondence regarding this permit shall use the Agency Interest (AI) No. 9002, and LPDES Permit No. LA0053031, and Activity Tracking No. PER20030001.

In accordance with the text requirements of the permit, monitoring results should be reported on a Discharge Monitoring Report (DMR) form per the schedule specified. A copy of the form to be used is attached for your convenience. Additional copies may be obtained via the following website:

[www.deq.state.la.us/enforcement/index.htm](http://www.deq.state.la.us/enforcement/index.htm)

Should you have any questions concerning any part of the permit, please contact Mr. Scott B. Pierce, Industrial Permits Section, Office of Environmental Services, at the address on the preceding page or telephone (225) 219-3400 or email at [scottp@la.gov](mailto:scottp@la.gov).

Sincerely,



Karen K. Gautreaux  
Deputy Secretary

SBP

Attachments: [LPDES permit (Title Page, Guidance Sheet, General Information Sheet, Inventory Sheet, Facility Specific Requirements, Other Conditions, and Standard Conditions), and blank DMR]

Cc: Letter and Title page only:

Scott B. Pierce  
Permits Division

Gayle Denino  
Financial Services

PCU Coordinator  
Office of Environmental Compliance

Mr. Thomas M. Westbrook  
DynMcDermott Petroleum Ops., Co. Inc.  
850 S. Clearview Parkway  
New Orleans, Louisiana 70123

Cc: Letter and all attachments:

Ms. Evelyn Rosborough (6WQ-CA)  
U. S. Environmental Protection  
Agency, Region VI (certified)

IO-W



# DMR Instructions

(from back of DMR)

## PAPER WORK REDUCTION ACT NOTICE

Public reporting burden for this collection of information is estimated to vary from a range of 10 hours as an average per response for some minor facilities, to 110 hours as an average per response for some major facilities, with a weighted average for major and minor facilities of 18 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; and to the Office of Information and

## GENERAL INSTRUCTIONS

1. If form has been partially completed by preprinting, disregard instructions directed at entry of that information already pre-printed.
2. Enter "Permittee Name/Mailing Address (and facility name/ location, if different)," "Permit Number," and "Discharge" where indicated. (A separate form is required for each discharge.)
3. Enter dates beginning and ending "Monitoring Period" covered form where indicated.
4. Enter each "Parameter" as specified in monitoring requirements of permit.
5. Enter "Sample Measurement" data for each parameter under "Quantity" and "Quality" in units specified in permit. "Average" is normally arithmetic average (geometric average for bacterial parameters) of all sample measurements for each parameter obtained during "Monitoring Period"; "Maximum" and "Minimum" are normally extreme high and low measurements obtained during "Monitoring Period". (Note to municipals and secondary treatment requirement: Enter 30-day average of sample measurements under "Average", and enter maximum 7-day average of sample measurements obtained during monitoring period under "Maximum.")
6. Enter "Permit Requirement" for each parameter under "Quantity" and "Quality" as specified in permit.
7. Under "No Ex" enter number of sample measurements during monitoring period that exceeded maximum (and/or minimum or 7-day average as appropriate) permit requirement for each parameter. If none, enter "0".
8. Enter "Frequency of Analysis" both as "Sample Measurement" (actual frequency of sampling and analysis used during monitoring period) and as "Permit Requirement" specified in permit. (e.g. Enter "Cont," for continuous monitoring, "1/7" for one day per week, "1/30" for one day per month, "1/90" for one day per quarter, etc.)
9. Enter "Sample Type" both as "Sample Measurement" (actual sample type used during monitoring period) and as "Permit Requirement", (e.g. Enter "Grab" for individual sample, "24HC" for 24-hour composite, "CONT" for continuous monitoring, etc.)
10. Where violations of permit requirements are reported, attach a brief explanation to describe cause and corrective actions taken, and reference each violation by date.
11. If "No Discharge" occurs during monitoring period, check the box for "No Discharge", or if no box is present please write the words "NO DISCHARGE" across the DMR Form.
12. Enter "Name/Title of Principal Executive Officer" with "Signature of Principal Executive Officer or Authorized Agent", "Telephone Number", and "Date" at bottom of form.
13. Mail signed Report to Office(s) by date(s) specified in permit. Retain copy for your records.
14. More detailed instructions for use of this Discharge Monitoring Report (DMR) form may be obtained from Office(s) specified in permit.
15. Facilities using the digital form of the DMR must first obtain approval from the NPDES authority in their state. The parameters and data on the form must be mono-spaced (e.g. Courier) and have a size of 10 pitch (12 points). Approval for EPA Region 6 can be obtained by contacting Cathy Bius at (214)665-6456. Permittees holding a storm water general permit in New Mexico, Texas, or Oklahoma do not need approval if they use the correct type as specified above. THE FORM MAY NOT BE ALTERED IN ANY MANNER.

## LEGAL NOTICE

This report is required by law (33 U.S.C. 1318; 40 C.F.R. 125.27). Failure to report or failure to report truthfully can result in civil penalties not to exceed \$10,000 per day of violation; or in criminal penalties not to exceed \$25,000 per day of violation, or by imprisonment for not more than one year, or by both.

PERMITTEE NAME/ADDRESS  
(Include Facility Name/Location if different)

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
DISCHARGE MONITORING REPORT (DMR)

[PLACE "WASTEWATER" DESCRIPTION HERE]

NAME

ADDRESS

PERMIT NUMBER

DISCHARGE NUMBER

MINOR / MAJOR

FACILITY

LOCATION

MONITORING PERIOD

FROM

YEAR MONTH DAY TO YEAR MONTH DAY

QUALITY OR CONCENTRATION

AVERAGE MAXIMUM

\*\*\*\*\* NO DISCHARGE [ ] \*\*\*\*\*

NOTE: Read Instructions before completing this form.

PARAMETER (32-37)	(3 Card Only) (46-53)		QUANTITY OR LOADING (54-61)		(4 Card Only) (38-45)		QUALITY OR CONCENTRATION (46-53)		UNITS (54-61)	NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
	AVERAGE	MAXIMUM	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM					
SAMPLE MEASUREMENT												
PERMIT REQUIREMENT												
SAMPLE MEASUREMENT												
PERMIT REQUIREMENT												
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SAMPLE MEASUREMENT												
PERMIT REQUIREMENT												

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	TELEPHONE		DATE	
	AREA CODE	NUMBER	YEAR	MO DAY
TYPED OR PRINTED				

SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)





PERMIT NUMBER  
LA0053031  
AI No. 9002

OFFICE OF ENVIRONMENTAL SERVICES  
**Water Discharge Permit**

Pursuant to the Clean Water Act, as amended, (33 U.S.C. 1251 et seq.) and the Louisiana Environmental Quality Act, as amended, (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

United States Department of Energy Strategic Petroleum Reserve  
1450 Black Lake Road  
Hackberry, Louisiana 70560

**Type Facility:** Bulk Crude Oil Storage  
**Location:** West Hackberry Oil Storage Facility  
1450 Black Lake Road  
Hackberry, Louisiana, Cameron Parish  
**Receiving Waters:** Black Lake via unnamed facility ditches

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto.

This permit shall become effective on *November 1, 2004*

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

Issued on *October 1, 2004*

Karen K. Gautreaux  
Deputy Secretary

## **GUIDANCE TO UNDERSTANDING THE NEW PERMIT FORMAT**

### **Components of the Permit Report**

**General Information Sheet** - A summary of the facility information, such as facility address, latitude/longitude at front gate, facility contact and phone number, Source Classification Code (SCC), Standard Industrial Classification (SIC) and North American Industry Classification (NAIC) codes.

**Inventory Sheet** - Lists all subject items groups, and any relationships that may exist between subject items or subject item groups.

**Facility Specific Requirements** - All permit requirements placed on the Agency Interest (AI) and its Subject Items are stated by type. The five types of permit requirements are as follows: Limitation Requirement, Monitoring Requirement, Recordkeeping Requirement, Narrative Requirement, and Submittal/Action Requirement.

All applicable limitation requirements, all applicable monitoring requirements, and all applicable recordkeeping requirements for each Subject Item are stated in table form. All applicable narrative requirements for the entire Agency Interest (AI) appear in text form with the last narrative requirements being the applicable submittal/action requirements for each Subject Item. The narrative requirements are stated in order by regulatory citation. Note: Some permit requirements associated by a common subject may be separated.

### **Definitions**

**Agency Interest (AI)** - Any entity that is being regulated or is of interest to LDEQ

**Agency Interest (AI) ID** - Numerical identifier of Agency Interest (AI)

**Activity Number** - Each action taken for an Agency Interest (AI). This identifier consists of a total of 11 characters, 3 letters represents the regulatory program followed by four digits representing the year the application was received by LDEQ, and four digits which are sequentially assigned. Example PER 19990001, this would identify the activity as the *first permitting* action taken for this Agency Interest (AI) in the year **1999**.

**Category** - Broad terms used to define the Subject Item, such as Activity (ACT), Area (ARE), Equipment (EQT), Fugitives (FUG), Group (GRP), Release Point (RLP), and Treatment (TRT).

**Phases** - Periods during which the associated requirement applies to the particular parameter. *For Example*, if the permit contains a compliance schedule with interim limits, this column will state the phase in which the compliance schedule of the associated requirement is applicable.

**Statistical Basis (Stat.Basis)** - Calculation or direct measurement upon which the permit requirement is based.

**Subject Item (SI)** - Components or groups of components of an Agency Interest (AI), including the Agency Interest (AI) itself. Each Subject Item is defined by a category and a type. Note: The type does not appear in the Subject Item ID.

**Subject Item ID** - Identifier assigned sequentially to each Subject Item within an Agency Interest (AI). It is composed of three letters representing the category of the Subject Item and is followed by the sequentially assigned number. Example RLP 1.

**Which Months ?** - Denotes the months that have a particular parameter requirement.



## General Information Sheet

Agency Interest/Facility Name: USDOE - West Hackberry Oil Storage Facility

Agency Interest/Facility ID: 9002

Permit Id: LA0053031

Also Known As:	ID	Name	By/For	Dates
	LA2890032582	Hazardous Waste #	Inactive & Abandoned Sites	02/25/1985
	70645SDPRT14'	TRI #	Toxic Release Inventory	07/09/2004
	02066	LELAP Lab #	Laboratory Services Division	04/28/1999
	7911	USDOE	TEMPO Merge	12/27/2000
	70864	West Hackberry Strategic Petroleum Reserve	TEMPO Merge	12/27/2000
	43769	USDOE	TEMPO Merge	01/29/2001
	88320	Dyn McDermott	TEMPO Merge	10/03/2001
	LA2890032582	USDOE Spr West Hackberry	Hazardous Waste Notification	03/21/1991
	0560-00019	USDOE - West Hackberry Oil Storage Facility	CDS Number	05/27/1993
	WQC	Water Quality Certification #	Water Certification	10/18/2002
	021010-03			
	103529	US Department of Energy	TEMPO Merge	11/12/2002
	10729	X-Ray Registration Number	Radiation X-ray Registration Number	12/05/2002
	LA0053031	LPDES #	LPDES Permit #	07/16/2004
	LAR00C068	WPC File Number	LPDES Permit #	05/22/2003
	LAR05M559	WPC File Number	LPDES Permit #	05/22/2003
	LAR05B113	NPDES Fed Number	LPDES Permit #	05/22/2003
	WP1892	WPC State Permit Number	LWDPS Permit #	06/25/2003
	WQC KR	Water Quality Certification #	Water Certification	08/05/2003
	030805-01			

Main Phone: (504)734-4142

Physical Location: 1450 Black Lake Rd  
Hackberry, LA 70645

Mailing Address: 1450 Black Lake Rd  
Hackberry, LA 70645

Location of Front Gate: 29° 59' 38" latitude, 93° 24' 14" longitude

Related People:	Name	Phone	Phone Type	Relationship
	William E. Bozzo	(504)734-4200	Work phone number	Accident Prevention Contact for
	Corey Valdary	(504)734-4844	Work phone number	Radiation Contact For
	William E. Bozzo	(504)734-4200	Work phone number	Water Billing Party for
	Thomas Westbrook	(504)734-4142	Work phone number	Water Permit Contact For

Related Organizations: Name	Phone	Phone Type	Relationship
DynMcDermott Petroleum Operations Co			Radiation Registration Billing Party for
US Department of Energy			Air Billing Party for

SIC Codes: 5171, Petroleum bulk stations and terminals



Inventories

USDOE - West Hackberry Oil Storage Facility

Agency Interest Number: 9002

Activity ID No: PER20030001

Permit Id : LA0053031

**Subject Item Inventory:**

ID	Description	Max. Operating Rate or Capacity	Operating Schedule
AI9002		(None Specified)	(None Specified)
RLP2	Outfall 002 Treated sanitary wastewater	(None Specified)	(None Specified)
RLP3	Outfall 003 Exterior vehicle washing	(None Specified)	(None Specified)
RLP4	Raw Water Systems Test Water which includes the intermittent discharge of raw water an	(None Specified)	(None Specified)

**Subject Item Groups:**

**Relationships:**

**Subject Item Inventory Alternate IDs:**

ID	Description	Alternate ID	Alternate Name	User Group
RLP2	Outfall 002 Treated sanitary wastewater	Outfall 002	Treated sanitary wastewater	Water Permitting
RLP3	Outfall 003 Exterior vehicle washing	Outfall 003	Exterior vehicle washing	Water Permitting
RLP4	Raw Water Systems Test Water which includes the	Sheet Flow	Raw Water Systems Test Water	Water Permitting

**Subject Item: RLP 2 Outfall 002 Treated sanitary wastewater****BOD, 5-day (20 degrees C)**Weekly averageLimits

BOD, 5-day (20 degrees C) &lt;= 45 mg/l. [LAC 33:IX.2701.A]

**Which Months****Phases**

All Year

ALL

Sample type and frequency

BOD, 5-day (20 degrees C) monitored by grab sampling quarterly (STORET 00310). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

BOD, 5-day (20 degrees C) recordkeeping by lab analyses quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**Fecal coliform, general**Weekly averageLimits

Fecal coliform, general &lt;= 400 colonies/100 ml. [LAC 33:IX.2701.A]

**Which Months****Phases**

All Year

ALL

Sample type and frequency

Fecal coliform, general monitored by grab sampling quarterly (STORET 74055). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

Fecal coliform, general recordkeeping by lab analyses quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**Flow**Weekly averageSample type and frequency

Flow monitored by measurement quarterly (STORET 50050). [LAC 33:IX.2701.J]

**Which Months****Phases**Report Only -  
gallons/day

All Year

ALL

Record-Keeping

Flow recordkeeping by manual logging quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**TSS (Total Suspended Solids)**Weekly averageLimits

TSS (Total Suspended Solids) &lt;= 45 mg/l. [LAC 33:IX.2701.A]

**Which Months****Phases**

All Year

ALL

Sample type and frequency

TSS (Total Suspended Solids) monitored by grab sampling quarterly (STORET 00530). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

TSS (Total Suspended Solids) recordkeeping by lab analyses quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**pH**Instantaneous maximumLimits

pH &lt;= 9 s.u. [LAC 33:IX.2701.A]

**Which Months****Phases**

All Year

ALL

Sample type and frequency



**Subject Item: RLP 2 Outfall 002 Treated sanitary wastewater**

<b>Sample type and frequency</b>	pH monitored by grab sampling quarterly (STORET 00400). [LAC 33:IX.2701.J]	All Year	ALL
<b>Instantaneous minimum</b>		<b>Which Months</b>	<b>Phases</b>
<b>Limits</b>			
pH $\geq$ 6 s.u. [LAC 33:IX.2701.A]		All Year	ALL
<b>Sample type and frequency</b>			
pH monitored by grab sampling quarterly (STORET 00400). [LAC 33:IX.2701.J]		All Year	ALL
<b>Record-Keeping</b>			
pH recordkeeping by manual logging quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]			ALL
<b>Narrative</b>			<b>Phases</b>
Submit Quarterly Discharge Monitoring Report (DMR): Due quarterly, by the 28th of January, April, July, and October. Shall be postmarked not later than 1) April 28th, for monitoring in the months of January, February, and March 2) July 28th, for monitoring in the months of April, May, and June; 3) October 28th, for monitoring in the months of July, August and September; and 4) January 28th, for monitoring in the months of October, November, and December. [LAC 33:IX.2701.L.4]			ALL
<b>Discharge Monitoring Report</b>			ALL
Prepare and submit DMRs for each outfall. Place an "X" in the No Discharge box located in the upper right corner of the DMR if there is a "No Discharge" event at any of the monitoring outfall(s) during the reporting period. Submit duplicate copies of DMRs (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2333.B, and all other reports (one set of originals) required by this permit, to the Department of Environmental Quality, Office of Environmental Compliance, Permit Compliance Unit, Post Office Box 82215, Baton Rouge, Louisiana 70884-2215, and the appropriate LDEQ regional office listed in the cover letter (one set of copies). [LAC 33:IX.2701.L.4]			
Monitored at the point of discharge from the north side of the main site sewage treatment plant prior to mixing with other waters. [LAC 33:IX.2701.J.4]			ALL
There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oily materials, nor of toxic materials in quantities such as to cause toxicity to aquatic organisms. [LAC 33:IX.1113.B.1]			ALL
All sanitary wastewater treatment units shall be properly maintained and operated. Effluent from treatment units, except for those units regulated by Outfall 002, exceeding 45 mg/L BOD, or 45 mg/L TSS, or 400/100 ml Fecal Coliform shall be considered a violation of the permit. [LAC 33:IX.2701]			ALL
Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C. [LAC 33:IX.4901]			ALL

**Subject Item: RLP 3 Outfall 003 Exterior vehicle washing****COD (high level)**Daily maximum**Limits**

COD (high level) &lt;= 300 mg/l. [LAC 33:IX.2701.A]

**Which Months****Phases**

All Year

ALL

**Sample type and frequency**

COD (high level) monitored by grab sampling quarterly (STORET 00340). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

COD (high level) recordkeeping by lab analyses quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**Flow**Daily maximum**Sample type and frequency**

Flow monitored by estimate quarterly (STORET 50050). [LAC 33:IX.2701.J]

**Which Months****Phases****Report Only -  
gallons/day**

All Year

ALL

Record-Keeping

Flow recordkeeping by manual logging quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**Oil and grease**Daily maximum**Limits**

Oil and grease &lt;= 15 mg/l. [LAC 33:IX.2701.A]

**Which Months****Phases**

All Year

ALL

**Sample type and frequency**

Oil and grease monitored by grab sampling quarterly (STORET 03582). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

Oil and grease recordkeeping by lab analyses quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**Oil and grease, visual**Daily maximum**Limits**

Oil and grease, visual &lt;= 0 yes = 1, no = 0 The Unit defines the presence of the condition. [LAC 33:IX.2701.A]

**Which Months****Phases**

All Year

ALL

**Sample type and frequency**

Oil and grease, visual monitored by visual inspection/determination quarterly The Unit defines the presence of the condition. (STORET 84066). [LAC 33:IX.2701.J]

All Year

ALL

Record-Keeping

Oil and grease, visual recordkeeping by manual logging quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**TSS (Total Suspended Solids)**Daily maximum**Limits**

TSS (Total Suspended Solids) &lt;= 45 mg/l. [LAC 33:IX.2701.A]

**Which Months****Phases**

All Year

ALL



**Subject Item: RLP 3 Outfall 003 Exterior vehicle washing****Sample type and frequency**

TSS (Total Suspended Solids) monitored by grab sampling quarterly (STORET 00530). [LAC 33:IX.2701.J]

All Year

ALL

**Record-Keeping**

TSS (Total Suspended Solids) recordkeeping by lab analyses quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**pH****Instantaneous maximum****Limits**

pH <= 9 s.u. [LAC 33:IX.2701.A]

Which Months

Phases

All Year

ALL

**Sample type and frequency**

pH monitored by grab sampling quarterly (STORET 00400). [LAC 33:IX.2701.J]

All Year

ALL

**Instantaneous minimum****Limits**

pH >= 6 s.u. [LAC 33:IX.2701.A]

Which Months

Phases

All Year

ALL

**Sample type and frequency**

pH monitored by grab sampling quarterly (STORET 00400). [LAC 33:IX.2701.J]

All Year

ALL

**Record-Keeping**

pH recordkeeping by manual logging quarterly must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit. [LAC 33:IX.2701.J.2]

ALL

**Narrative**

Submit Quarterly Discharge Monitoring Report (DMR): Due quarterly, by the 28th of January, April, July, and October. Shall be postmarked not later than 1) April 28th, for monitoring in the months of January, February, and March 2) July 28th, for monitoring in the months of April, May, and June; 3) October 28th, for monitoring in the months of July, August and September; and 4) January 28th, for monitoring in the months of October, November, and December. [LAC 33:IX.2701.L.4]

Phases

ALL

**Discharge Monitoring Report**

Prepare and submit DMRs for each outfall. Place an "X" in the No Discharge box located in the upper right corner of the DMR if there is a "No Discharge" event at any of the monitoring outfall(s) during the reporting period. Submit duplicate copies of DMRs (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2333.B, and all other reports (one set of originals) required by this permit, to the Department of Environmental Quality, Office of Environmental Compliance, Permit Compliance Unit, Post Office Box 82215, Baton Rouge, Louisiana 70884-2215, and the appropriate LDEQ regional office listed in the cover letter (one set of copies). [LAC 33:IX.2701.L.4]

ALL

Monitored at the point of discharge from vehicle rinsing station prior to mixing with other waters. [LAC 33:IX.2701.J.4]

ALL

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oily materials, nor of toxic materials in quantities such as to cause toxicity to aquatic organisms. [LAC 33:IX.1113.B.1]

ALL

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C. [LAC 33:IX.4901]

ALL

**Subject Item: RLP 4 Raw Water Systems Test Water which includes the intermittent discharge of raw water and once-through non-contact cooling water**

Narrative

## Phases

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oily materials, nor of toxic materials in quantities such as to cause toxicity to aquatic organisms. [LAC 33:IX.1113.B.1]

ALL

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. [LAC 33:IX.2701.A]

ALL

The discharges shall not exceed 50 mg/L Total Organic Carbon or 15 mg/L Oil and Grease. [LAC 33:IX.2701.A]

ALL

No specific monitoring or reporting requirements are associated with the above mentioned discharges. It is the responsibility of the permittee, however, to take any appropriate actions necessary to ensure the above standards are maintained. [LAC 33:IX.2701.A]

ALL



**Subject Item: AI 9002**

<u>Narrative</u>	<u>Phases</u>
Ensure that all storage tank installations with a capacity greater than 660 gallons for an individual container, or 1,320 gallons for two or more containers in aggregate within a common storage area, are constructed so that a secondary means of containment is provided for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills. [LAC 33:IX.2701.A]	ALL
Any runoff leaving developed areas of the facility, other than through the permitted outfall(s), exceeding 50 mg/l Carbon, total organic (Storet 00680), 15 mg/l Oil and grease (Storet 03582), or having a pH (Storet 00400) less than 6.0 SU or greater than 9.0 SU shall be a violation of this permit. Any discharge in excess of these limitations, which is attributable to offsite contamination shall not be considered a violation of this permit. [LAC 33:IX.2701.A]	ALL
Prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six months after permit effective date. The SWP3 shall apply to all stormwater discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheetflow. [LAC 33:IX.2701.A]	ALL
Include the following conditions in the SWP3 for the facility: A) an annual inspection of the facility site to identify areas contributing to the storm water discharge from developed areas of the facility and evaluate whether measures to reduce pollutant loadings identified in the SWP3 are adequate and have been properly implemented in accordance with the terms of the permit or whether additional control measures are needed; B) a prediction of the direction, rate of flow, and total quantity of pollutants which could be discharged from the facility as a result of potential equipment failure (e.g. tank overflow or leakage), natural conditions (e.g. precipitation), or other circumstances which result in significant amounts of pollutants reaching surface waters; and C) an annual report of the inspection of the facility site which should contain, at a minimum, the date and time of inspection, the name of the inspector(s), conditions found, identification of any incidents of noncompliance, and changes to be made to the SWP3; and D) develop a site map which includes all areas where stormwater may contact potential pollutants or substances which can cause pollution. Any location where reportable quantity leaks or spills have previously occurred are to be documented in the SWP3. The SWP3 shall contain a description of the potential pollutant sources, including, the type and quantity of material present and what action has been taken to assure stormwater precipitation will not directly contact the substances and result in contaminated runoff. [LAC 33:IX.2701.A]	ALL
Utilize all reasonable methods to minimize any adverse impact on the drainage system including but not limited to: A) maintaining adequate roads and driveway surfaces; B) removing debris and accumulated solids from the drainage system; and C) cleaning up immediately any spill by sweeping, absorbent pads, or other appropriate methods. [LAC 33:IX.2701.A]	ALL
Clean up and dispose of all spilled product and other spilled wastes immediately according to all applicable regulations, Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. [LAC 33:IX.2701.A]	ALL
Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where necessary to comply with state or federal safety regulations (i.e., requirement for non-slippery work surface). In all such cases, perform initial cleanup by physical removal and minimize chemical usage. [LAC 33:IX.2701.A]	ALL
Maintain all equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, or other material exposed to storm water in a manner which prevents contamination of storm water by pollutants. [LAC 33:IX.2701.A]	ALL
Recycle or contain for proper disposal all waste fuel, lubricants, coolants, solvents, or other fluids used in the repair or maintenance of vehicles or equipment. Clean up spills of these materials by dry means whenever possible. [LAC 33:IX.2701.A]	ALL
Maintain all diked areas surrounding storage tanks or storm water collection basins free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked area. [LAC 33:IX.2701.A]	ALL
Equip all drains from diked areas with valves kept in the closed condition except during periods of supervised discharge. [LAC 33:IX.2701.A]	ALL
Inspect and maintain all check valves, tanks, drains, or other potential sources of pollutant releases on a regular basis to assure their proper operation and to prevent the discharge of pollutants. [LAC 33:IX.2701.A]	ALL
Assure compliance with all applicable regulations promulgated under the Louisiana Solid Waste and Resource Recovery Law and the Hazardous Waste Management Law (La. R.S. 30:2151, etc.). Reference management practices required under above regulations in the SWP3. [LAC 33:IX.2701.A]	ALL
Amend the SWP3 whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants. [LAC 33:IX.2701.A]	ALL
If the SWP3 proves to be ineffective in achieving the general objectives of preventing the release of significant amounts of pollutants to water of the state, then the specific objectives and requirements of the SWP3 shall be subject to modification to incorporate revised SWP3 requirements. [LAC 33:IX.2701.A]	ALL
Achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule: Effective Date of the permit. [LAC 33:IX.2701]	ALL
Submit notification: Due in the event that any material other than crude oil, gasoline, diesel, fuel oil, lubricating oils, or those listed in the permit application will be stored at the facility. Approval must be obtained from the Office of Environmental Services prior to moving these	ALL

Subject Item: AI 9002

Narrative

Phases

additional materials onsite. Different monitoring and effluent limitations may be required at that time. [LAC 33:IX.2701]

If the flow measurement sample type indicated is specified as "estimate," flow measurements shall not be subject to the accuracy provisions established in this permit. The daily flow value may be estimated using best engineering judgement. [LAC 33:IX.2701]

ALL

Obtain prior approval from the Office of Environmental Services for any new proposed discharges at the site. [LAC 33:IX.2701]

ALL

No bulk materials other than crude oil; gasoline, diesel fuel, ammonium bisulfite, alkoxy quaternary ammonium chloride, isopropanol, and waste lube oil used for energy recovery shall be stored at the facility without first obtaining authorization from this Office. In order to obtain authorization, the permittee must submit a written request fully describing: 1) the additional product (s) to be handled and stored, including a Material Safety Data Sheet on each additional product; 2) the anticipated maximum volumes of each additional product to be stored; and 3) the anticipated time frame during which the additional product are to be stored. A permit modification may be required. [LAC 33:IX.2701.A]

ALL

Prior to adding any detergents, emulsifiers, dispersants or additives of any kind to any of the discharges, a written request must be received by this office and a determination made regarding its use. [LAC 33:IX.2701.A]

ALL



Other Conditions:

In addition to the standard conditions required in all permits and listed in STANDARD CONDITIONS FOR LPDES PERMITS, the Office has established the following additional conditions in accordance with the Louisiana Water Quality Regulations.

- A. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations or additional restrictions, if necessary, to maintain the water quality integrity and the designated uses of the receiving water bodies.
- B. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit.
- C. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.
- D. For definitions of monitoring and sampling terminology see STANDARD CONDITIONS FOR LPDES PERMITS, Section F.
- E. EPA document 833-R-92-002 (Storm Water Management for Industrial Activities) may be used as a guidance and may be obtained by writing to the U.S. Environmental Protection Agency, Office of Water Resources (RC-4100), 401 M Street, S.W., Washington D.C. 20460 or by calling (202) 260-7786.
- F. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Pollutant(s):

None

G. PERMIT REOPENER CLAUSE

In accordance with LAC 33:IX.2361.C.3, this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

- 1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- 2. Controls any pollutant not limited in the permit; or
- 3. Require reassessment due to change in 303(d) status of waterbody; or
- 4. Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.



H. MISSISSIPPI RIVER DRINKING WATER INTAKE LOCATION (as of 2/25/2002)

INTAKE STRUCTURE

LOCATION (RIVER MILE)

W=West Bank E=East Bank

The DOW Company, Plaquemine	209.6 W
Honeywell Corporation, Geismar	187 E
Shell Chemical Company, Geismar	183 E
Peoples Water Service Company, Donaldsonville	175.5 W
Bayou LaFourche Fresh Water District, Donaldsonville	175.5 W
Ormet Corporation, Burnside	169.5 E
E.I. duPont deNemours & Company, Convent	169.2 E
Motiva Enterprises LLC, Convent	168.1 E
St. James Waterworks #1, Convent	154.1 E
St. James Waterworks #2, Vacherie	152.2 W
Town of Lutcher Waterworks, Lutcher	147.4 E
Town of Gramercy Waterworks, Gramercy	146.7 E
Kaiser Aluminum & Chemical Corporation, Gramercy	145.3 E
Marathon Petroleum Company, Garyville	140 E
St. John Waterworks #1, Lions Plant, Reserve	139.3 E
St. John Waterworks #2, Edgard Plant, Edgard	139.3 W
DuPont Dow Elastomers, LaPlace	136 E
St. Charles Waterworks #1, New Sarpy	125.1 E
St. Charles Waterworks #2, Luling	120.6 W
East Jefferson Waterworks, District 1, Metairie	105.4 E
New Orleans Dakin Waterworks, New Orleans	104.9 E
City of Westwego Waterworks, Westwego	101.5 W
West Jefferson Waterworks, District 2, Marrero	99.1 W
City of Gretna Waterworks, Gretna	96.7 W
New Orleans Algiers Waterworks #2, New Orleans	95.8 W
New Orleans Algiers Waterworks #1, New Orleans	95.7 W
Domino Sugar Corporation, Arabi	90.8 E
St. Bernard Waterworks, District 1, Chalmette	87.9 E
Dalcour Waterworks, Braithwaite	80.9 E
Belle Chasse Waterworks, Belle Chasse	75.8 W
Pointe-a-la-Hache Waterworks, Pointe-a-la-Hache	49.2 E
Port Sulphur Waterworks, Port Sulphur	49 W
Boothville-Venice Waterworks, Venice	18.6 W

I. Definitions

SPC: Spill Prevention and Control. Plan covering the release of pollutants as defined by the Louisiana Administrative Code (LAC 33:IX.9).

SPCC: Spill Prevention Control and Countermeasures Plan. Plan covering the release of hazardous substances as defined in 40 CFR Part 112.

Storm water Runoff: aqueous surface runoff including any soluble or suspended material mobilized by naturally occurring precipitation events.

Surface Water: all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.

Uncontaminated Ambient Water: ambient water which is returned to the receiving water body without the addition of chemicals. Included are discharges of: (1) excess water which permit the continuous operation of fire control and utility lift pumps, and (2) excess water from pressure maintenance.

Visible Sheen: a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.

Wastewater: liquid waste resulting from commercial, municipal, private, or industrial processes. This includes, but is not limited to, cooling and condensing waters, sanitary sewage, industrial waste, and uncontaminated Stormwater runoff.

Waters of the State: for the purposes of the Louisiana Pollutant Discharge Elimination system, all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from three miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which are subject to the ebb and flow of the tide, lakes, rivers, streams, (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as "waters of the United States" in 40 CFR 122.2, and tributaries of all such waters. "Waters of the state" does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.

Accreditation: means the formal recognition by the department of a laboratory's competence wherein a specific test or types of tests can be accurately and successfully performed in compliance with all the minimum requirements set forth in the regulations regarding laboratory accreditation.

Commercial Laboratory: mean any laboratory that performs analyses for third parties for a fee or other compensation, except those commercial laboratories accredited by the Department of Health and Hospitals in accordance with R.S.49:1001 et seq.

J. 25-Year, 24-Hour Precipitation Event

The term "25-Year, 24-Hour precipitation event" means the maximum 24-hour precipitation event with the probable recurrence interval of once in twenty-five years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.", May, 1961, or equivalent regional or rainfall probability information developed there from.



K. SANITARY DISCHARGE

Future water quality studies may indicate potential toxicity from the presence of residual chlorine in the treatment facility's effluent. Therefore, the permittee is hereby advised that a future Total Residual Chlorine Limit may be required if chlorine is used as a method of disinfection. In many cases, this becomes a NO MEASURABLE Total Residual Chlorine Limit. If such a limit were imposed, the permittee would be required to provide for dechlorination of the effluent prior to discharge. Please be aware, concentrations of Total Residual Chlorine remains in the effluent after dechlorination in order to prevent toxicity in the receiving stream.

The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain water quality integrity and the designated uses of the receiving water bodies based upon water quality studies. These studies may indicate the need for more advanced wastewater treatment. Studies of similar discharges and receiving water bodies have resulted in monthly average effluent limitations of 5 mg/L CBOD<sub>5</sub> and 2 mg/L NH<sub>3</sub>-N. Therefore, prior to upgrading or expanding any permitted sewage treatment method at the facility, the permittee should contact the Department to determine the status of the work being done to establish future limitations and additional permit conditions.



PART III  
STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Introduction

In accordance with the provisions of LAC 33:IX.2701, et. seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA), as amended, as well as ALL applicable regulations.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions

a. LA. R. S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. LA. R. S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details).

b. Any person may be assessed an administrative penalty by the State Administrative Authority under LA. R. S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants

a. Other effluent limitations and standards under Sections 301, 302, 303, 307, 318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply

a. Individual Permits. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The new application shall be submitted at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the state administrative authority. (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit.) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.

b. General Permits. General permits expire five years after the effective date. Unless otherwise specified in the general permit, or notified by the Secretary or his designee, a permittee must submit an NOI/application for the permitted activity.

6. Permit Action

This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2905, 2907, 3105 and 6509. The causes may include, but are not limited to, the following:

- a. Noncompliance by the permittee with any condition of the permit;
- b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant acts, or the permittee's misrepresentation of any relevant facts at any time;
- c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;
- d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge; or
- e. Failure to pay applicable fees under the provisions of LAC 33: IX. Chapter 13;
- f. Change of ownership or operational control;

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to Provide Information

The permittee shall furnish to the state administrative authority, within a reasonable time, any information which the state administrative authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the state administrative authority, upon request, copies of records required to be kept by this permit.

9. Criminal and Civil Liability

Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to La. R.S. 30:2025.

10. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

11. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

12. Severability

If any provision of these rules and regulations, or the application thereof, is held to be invalid, the remaining provisions of these rules and regulations shall not be affected, so long as they can be given effect without the invalid provision. To this end, the provisions of these rules and regulations are declared to be severable.

13. Dilution

A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.



SECTION B. PROPER OPERATION AND MAINTENANCE1. Need to Halt or Reduce not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

3. Proper Operation and Maintenance

a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

4. Bypass of Treatment Facilities

a. Bypass. The intentional diversion of waste streams from any portion of a treatment facility.

b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B.4.c. and 4.d of these standard conditions.

c. Notice

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Permits Division, if possible at least ten days before the date of the bypass.

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6, (24-hour notice) and Section D.6.e. of these standard conditions.

d. Prohibition of bypass

(1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,



(c) The permittee submitted notices as required by Section B.4.c of these standard conditions.

- (2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Section B.4.d(1) of these standard conditions.

5. Upset Conditions

- a. **Upset.** An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- b. **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section B.5.c. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. **Conditions necessary for a demonstration of upset.** A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
  - (2) The permitted facility was at the time being properly operated; and
  - (3) The permittee submitted notice of the upset as required by LAC 33:IX.2701.L.6.b.ii. and Section D.6.e.(2) of these standard conditions; and
  - (4) The permittee complied with any remedial measures required by Section B.2 of these standard conditions.
- d. **Burden of proof.** In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances

Solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state and in accordance with environmental regulations.

7. Percent Removal

For publicly owned treatment works, the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.5905.A.3. and B.3.

SECTION C. MONITORING AND RECORDS1. Inspection and Entry

The permittee shall allow the state administrative authority, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the law to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of this permit. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action; and

- b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

e. Sample Collection

- (1) When the inspector announces that samples will be collected, the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.
  - (2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a. above) and the inspector shall supply the permittee with a duplicate sample.
- f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C.1.b. of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.



- g. Upon written request copies of field notes, drawings, etc., taken by department personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

2. Representative Sampling

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) will be subject to modification, revocation and reissuance in accordance with LAC 33:IX.2903.

3. Retention of Records

Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the state administrative authority at any time.

4. Record Contents

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The time(s) analyses were begun and ended
- e. The individual(s) who performed the analyses;
- f. The analytical techniques or methods used;
- g. The results of such analyses; and
- h. The results of all quality control procedures.

5. Monitoring Procedures

- a. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use or disposal, approved under 40 CFR part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR part 503, unless other test procedures have been specified in this permit. This includes procedures contained in the latest EPA approved edition of the following publications:

(1) "Standard Methods for the Examination of Water and Waste Water". This publication is available from the American Public Health Association, Publication Sales, P. O. Box 753, Waldorf, MD 20604-0573, Phone number (301) 893-1894, Fax number (301) 843-0159.

(2) "Annual Book of Standards, Vols 1101-1103, Water I, Water II, and Atmospheric Analysis". This publication is available from the American Society for Testing Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, Phone number (610) 832-9500.

(3) "Methods for Chemical Analysis of Water and Wastes, Revised, March 1983," U.S. Environmental Protection Agency, Analytical Quality Control Laboratory, Cincinnati, Ohio. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-84-128677.

- b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.



- c. An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory. General sampling protocol shall follow guidelines established in the "Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982" U.S. Environmental Protection Agency. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-83-124503. General laboratory procedures including glassware cleaning, etc. can be found in the "Handbook for Analytical Quality Control in Water and Wastewater Laboratories, 1979," U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory. This publication is available from the Environmental Protection Agency, Phone number (513) 569-7562. Order by EPA publication number EPA-600/4-79-019.

6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

- a. "A Guide to Methods and Standards for the Measurement of Water Flow, 1975," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number COM-75-10683.
- b. "Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-273 535.
- c. "NPDES Compliance Flow Measurement Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

7. Prohibition for Tampering: Penalties

- a. LA R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.

- b. LA R.S. 30:2076.2 provides for penalties for any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non compliance.

8. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use and disposal, approved under 40 CFR part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

9. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

10. Laboratory Accreditation

- a. LAC 33:I.Subpart 3, Chapters 45-59 provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:
  - (1) Submitted on behalf of any facility, as defined in R.S.30:2004;
  - (2) Required as part of any permit application;
  - (3) Required by order of the department;
  - (4) Required to be included on any monitoring reports submitted to the department;
  - (5) Required to be submitted by contractor
  - (6) Otherwise required by department regulations.
- b. The department laboratory accreditation program is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in generation of that data. Laboratory data generated by commercial environmental laboratories that are not accredited under these regulations will not be accepted by the department. Retesting of analysis will be required by an accredited commercial laboratory.

Where retesting of effluent is not possible (i.e. data reported on DMRs for prior month's sampling), the data generated will be considered invalid and in violation of the LPDES permit.

- c. Regulations on the Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation, are available on the department website located at:

**<http://www.deq.state.la.us/laboratory/index.htm>.**

Questions concerning the program may be directed to (225) 765-0582.



SECTION D. REPORTING REQUIREMENTS1. Facility Changes

The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under LAC 33:IX.2703.A.1.
- c. For Municipal Permits. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301, or 306 of the CWA if it were directly discharging those pollutants; and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance

The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the Louisiana Environmental Quality Act. (See LAC 33:IX.2901; in some cases, modification or revocation and reissuance is mandatory.)

- a. Transfers by modification. Except as provided in LAC 33: IX.2901.B, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under LAC 33:IX.2903. A.2.b), or a minor modification made (under LAC 33:IX.2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.
- b. Automatic transfers. As an alternative to transfers under LAC 33:IX.2901.A, any LPDES permit may be automatically transferred to a new permittee if:
  - (1) The current permittee notifies the state administrative authority at least 30 days in advance of the proposed transfer date in Section D.3.b.(2) below;
  - (2) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them;
  - (3) The state administrative authority does not notify the existing permittee and the proposed new permittee of his or her intent to modify or revoke and reissue the permit. A modification under this subsection may also be a minor modification under LAC 33:IX.2905. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Section D.3.b.(2) of these standard conditions.



#### 4. Monitoring Reports

Monitoring results shall be reported at the intervals and in the form specified in Part I or Part II of this permit.

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) on the form specified in the permit. Preprinted DMRs are provided to majors/92-500's and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self-generated DMRs must be pre-approved by the Permit Compliance Unit prior to submittal. Self-generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to:

Supervisor, Permit Compliance Unit  
Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, LA 70821-4312

Copies of blank DMR templates, plus instructions for completing them, and EPA's LPDES Reporting Handbook are available at the department website located at:

<http://www.deq.state.la.us/enforcement/index.htm>

#### 5. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

#### 6. Requirements for Notification

##### a. Emergency Notification

As required by LAC 33:I.3915, in the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline (DPS 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Verbal Notification Procedures are listed in Section D.6.c. of these standard conditions.

A written report shall be provided within seven calendar days after the telephone notification. The report shall contain the information listed in Section D.6.d. of these standard conditions and any additional information in LAC 33:I.3925.B.

##### b. Prompt Notification

As required by LAC 33:I.3917, in the event of an unauthorized discharge which exceeds reportable quantity specified in LAC 33:I.Subchapter E, but does not cause an emergency condition, the discharger shall notify the Office of Environmental Compliance by e-mail utilizing the Incident Report Form and procedures found at [www.deq.state.la.us/surveillance](http://www.deq.state.la.us/surveillance) or by telephone within 24 hours after learning of the discharge. Otherwise, verbal notification should be made to the Office of Environmental Compliance at (225) 219-3640 during office hours or (225) 342-1234 after hours, weekends, and holidays.

- c. Information for Verbal Notifications. The following guidelines will be utilized as appropriate, based on the conditions and circumstances surrounding any unauthorized discharge, to provide relevant information regarding the nature of the discharge:
- (1) name of person making the notification and telephone number where any return calls from response agencies can be placed;
  - (2) name and location of facility or site where the unauthorized discharge is imminent or has occurred using common landmarks. In the event of an incident involving transport, include the name and address of transporter and generator;
  - (3) date and time the incident began and ended, or estimated time of continuation if discharge is continuing;
  - (4) extent of any injuries and identification of any known personnel hazards which response agencies may face;
  - (5) common or scientific chemical name, U.S. Department of Transportation hazard classification, and best estimate of amounts of any and all discharged pollutants;
  - (6) brief description of the incident sufficient to allow response agencies to formulate level and extent of response activity.
- d. Written Notification Procedures. Written reports for any unauthorized discharge that requires verbal notification under Section D.6.a. or 6.b., or that requires written notification under LAC 33:I.3925, will be submitted by the discharger to the department in accordance with this section within seven calendar days after the telephone notification. Written notification reports will include, but are not limited to, the following information:
- (1) name of person, company, or other party who is filing the written report;
  - (2) time and date of verbal notification, name of person making the notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred;
  - (3) date(s), time(s), and duration of the unauthorized discharge and, if not corrected, the anticipated time it is expected to continue;
  - (4) details of the circumstances and events leading to any emergency condition, including incidents of loss of sources of radiation;
  - (5) common or scientific chemical name, the CAS number, U.S. Department of Transportation hazard classification, and best estimate of amounts of any and all discharge pollutants, including methodology for calculations and estimates;
  - (6) statement of actual or probable fate or disposition of the pollutant or source of radiation;
  - (7) remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.

Please see LAC 33:I.3925.B for additional written notification procedures.



e. Twenty-four Hour Reporting. The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and; steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:

- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b.);
- (2) Any upset which exceeds any effluent limitation in the permit;
- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Part II of the permit to be reported within 24 hours (LAC 33:IX.2707.G.).

7. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Section D.4., 5., and 6., at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.e.

8. Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

9. Discharges of Toxic Substances

In addition to the reporting requirements under Section D.1-8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Office of Environmental Services, Permits Division as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:
  - i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micro-grams per liter (500 µg/L) for 2,4 -dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or
    - (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F.; or
  - ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant:
  - i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - (1) Five hundred micrograms per liter (500 µg/L);
    - (2) One milligram per liter (1 mg/L) for antimony;



- (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or
- (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F.; or

ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

#### 10. Signatory Requirements

All applications, reports, or information submitted to the state administrative authority shall be signed and certified.

a. All permit applications shall be signed as follows:

- (1) For a corporation - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
  - (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,
  - (b) The manager of one or more manufacturing, production, or operating facilities, provided: the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

**NOTE:** DEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in Section D.10.a.(1)(a). The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Section D.10.a.(1)(b). rather than to specific individuals.

- (2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or
- (3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
  - (a) The chief executive officer of the agency, or
  - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D.10.a., or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described in Section D.10.a. of these standard conditions;
- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position; and,
- (3) The written authorization is submitted to the state administrative authority.

c. Changes to authorization. If an authorization under Section D.10.b. is no longer accurate because a different

individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section D.10.b. must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.

- d. Certification. Any person signing a document under Section D.10. a. or b. above, shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Availability of Reports

All recorded information (completed permit application forms, fact sheets, draft permits, or any public document) not classified as confidential information under R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, R.S. 44:1 et seq.

Claims of confidentiality for the following will be denied:

- a. The name and address of any permit applicant or permittee;
- b. Permit applications, permits, and effluent data.
- c. Information required by LPDES application forms provided by the state administrative authority under LAC 33:IX.2501 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.



SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITION1. Criminala. Negligent Violations

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who negligently violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$50,000 per day of violation, or imprisonment of not more than two years, or both.

b. Knowing Violations

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$100,000 per day of violation, or imprisonment of not more than six years, or both.

c. Knowing Endangerment

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any of such provisions in a permit issued under the LPDES by the secretary, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this Paragraph, be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

d. False Statements

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the LPDES, shall, upon conviction, be subject to a fine of not more than \$10,000, or imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than \$20,000 per day of violation, or imprisonment of not more than 4 years, or both.

2. Civil Penalties

The Louisiana Revised Statutes LA. R. S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than \$27,500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

(PLEASE NOTE: These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)



SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

1. "Clean Water Act" (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500, as amended by Pub.L. 95-217, Pub.L. 95-576, Pub.L. 96-483 and Pub.L. 97-117, 33 U.S.C. 1251 et. seq.).
2. "Accreditation" means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.
3. "Administrator" means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.
4. "Applicable effluent standards and limitations" means all state and Federal effluent standards and limitations to which a discharge is subject under the Clean Water Act, including, but not limited to, effluent limitations, standards or performance, toxic effluent standards and prohibitions, and pretreatment standards.
5. "Applicable water quality standards" means all water quality standards to which a discharge is subject under the Clean Water Act.
6. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
7. "Commercial Laboratory" means any laboratory that performs analyses or tests for third parties for a fee or other compensation, except those commercial laboratories accredited by the Department of Health and Hospitals in accordance with R.S.49:1001 et seq.
8. "Daily Discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the daily discharge determination of concentration shall be arithmetic average (weighted by flow value) of all samples collected during that sampling day.
9. "Daily Maximum" discharge limitation means the highest allowable "daily discharge" during the calendar month.
10. "Director" means the U.S. Environmental Protection Agency Regional Administrator or an authorized representative.
11. "Environmental Protection Agency" means the U.S. Environmental Protection Agency.
12. "Grab sample" means an individual sample collected in less than 15 minutes.
13. "Industrial user" means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.
14. "LEQA" means the Louisiana Environmental Quality Act.



15. "Louisiana Pollutant Discharge Elimination System (LPDES)" means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.
16. "Monthly Average" (also known as Daily Average), other than for fecal coliform bacteria, discharge limitations means the highest allowable average of "daily discharge(s)" over a calendar month, calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, and flow is measured as a continuous record, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

The monthly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.

17. "National Pollutant Discharge Elimination System" means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.
18. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
19. "Sewage sludge" means the solids, residues, and precipitates separated from or created in sewage by the unit processes of a publicly owned treatment works. Sewage as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and storm water runoff, that are discharged to or otherwise enter a publicly owned treatment works.
20. "Treatment works" means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof.
21. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
22. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.
23. The term "MGD" shall mean million gallons per day.
24. The term "mg/L" shall mean milligrams per liter or parts per million (ppm).
25. The term "µg/L" shall mean micrograms per liter or parts per billion (ppb).

26. "Weekly average", other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week. The weekly average for fecal coliform bacteria is the geometric mean of the daily discharges over a calendar week.
27. "12-hour composite sample" consists of 12 effluent portions collected no closer together than one hour and composited according to flow. The daily sampling intervals shall include the highest flow periods.
28. "6-hour composite sample" consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.
29. "3-hour composite sample" consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.
30. "24-hour composite sample" consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample collected at frequent intervals proportional to flow over the 24-hour period.